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IN ATTENDANCE:

Cruz Bustamante
Lt. Governor, Chair
Steve Westley
State Controller, Member
Shelley Mateo, Alternate
Department of Finance
Cindy Aronberg, Alternate
Office of the Controller
Lorena Gonzalez, Alternate
Office of the Lt. Governor

VOTING RECORD

MEETING OF THE CALIFORNIA STATE LANDS COMMISSION

PORT OF SAN DIEGO
BOARD ROOM, 1ST FLOOR
3165 PACIFIC HIGHWAY
SAN DIEGO, CA 92101

CRUZ M. BUSTAMANTE, LIEUTENANT GOVERNOR, CHAIR
STEVE WESTLY, STATE CONTROLLER, MEMBER
STEVE PEACE, DIRECTOR OF FINANCE, MEMBER

OCTOBER 20, 2003

ALL ITEMS **C01-61** WERE APPROVED BY THE COMMISSION BY A 3 -0 VOTE **EXCEPT** ITEMS **C11, C19, C28, C50** AND **61** WHICH WERE **POSTPONED** FROM THIS MEETING WITH NO COMMISSION ACTION BEING TAKEN, **C04** WHICH WAS MOVED TO THE REGULAR CALENDAR AND **DEFERRED**, ITEM **62** WHICH WAS **AMENDED** AND **APPROVED** BY A VOTE OF 2-0, **63**, WHICH WAS **MOVED** TO THE CONSENT CALENDAR AND **APPROVED** BY A VOTE OF 3-0, AND **64** WHICH WAS **APPROVED** BY A VOTE OF 2-0.

ORDER OF BUSINESS

- I. 2:00 P.M - OPEN SESSION** CALENDAR ITEM REFERENCES TO AB 884 DENOTE THE PERMIT STREAMLINING ACT (CALIFORNIA GOVERNMENT CODE SECTION 65920 ET SEQ.).

A SIGN LANGUAGE INTERPRETER WILL BE PROVIDED UPON ADVANCE NOTIFICATION OF NEED BY A DEAF OR HEARING IMPAIRED PERSON. SUCH NOTIFICATION SHOULD BE MADE AS SOON AS POSSIBLE PRIOR TO DATE OF THE EVENT.

IF YOU NEED REASONABLE ACCOMMODATION, IN ORDER TO CONDUCT BUSINESS WITH THE COMMISSION, FOR A DISABILITY AS DEFINED BY THE FEDERAL AMERICANS WITH DISABILITIES ACT AND THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT, PLEASE CONTACT THE COMMISSION IN ADVANCE TO ARRANGE FOR SUCH ACCOMODATION.

- II. CONFIRMATION OF MINUTES FOR THE MEETING OF SEPTEMBER 9, 2003**

III. EXECUTIVE OFFICER'S REPORT

IV. CONSENT CALENDAR C01 – C60 THE FOLLOWING ITEMS ARE CONSIDERED TO BE NON-CONTROVERSIAL AND ARE SUBJECT TO CHANGE AT ANY TIME UP TO THE DATE OF THE MEETING.

ANYONE WISHING TO ADDRESS AN ITEM ON THE AGENDA MAY COME FORWARD AND STATE THEIR NAME FOR THE RECORD.

LAND MANAGEMENT DIVISION

- C 01 RONALD EDWARDSON (APPLICANT):** Consider application for a new General Lease – Recreational Use, of sovereign lands located in the Sacramento River, near the town of Ryde, Sacramento County; for the construction of a new floating boat dock, pilings, gangway, and concrete landing. (W 25939; RA# 01003) (A 15; S 5) (Negotiator: R. Barham)
- **Agenda Item** ([MS Word](#)) [40 KB] ([Adobe Acrobat](#)) [20 KB]
 - **Exhibit A** ([MS Word](#)) [190 KB] ([Adobe Acrobat](#)) [115 KB]
- C 02 CALIFORNIA DEPARTMENT OF TRANSPORTATION (APPLICANT):** Consider application for an amendment to General Lease – Public Agency Use No. PRC 2470.9, pursuant to Section 101.5 of the Streets and Highway Code, of sovereign lands located in the Sacramento River, near Butte City, Glenn County; to install five rock groins and bank protection. (WP 2470.9; RA# 08702) (A 2; S 4) (Negotiator: L. Burks)
- **Agenda Item** ([MS Word](#)) [39 KB] ([Adobe Acrobat](#)) [22 KB]
 - **Exhibit A** ([MS Word](#)) [167 KB] ([Adobe Acrobat](#)) [132 KB]
 - **Exhibit B** ([MS Word](#)) [134 KB] ([Adobe Acrobat](#)) [74 KB]
- C 03 CALPINE NATURAL GAS COMPANY, A DELAWARE LIMITED PARTNERSHIP (APPLICANT):** Consider application for a General Lease – Right of Way Use, of sovereign lands located in Tomato Slough at Brannan Island, near the city of Rio Vista, Sacramento County; for installation of a natural gas pipeline and continued use of an existing access road. (W 25879; RA# 06102) (A 15; S 5) (Negotiator: L. Burks)
- **Agenda Item** ([MS Word](#)) [40 KB] ([Adobe Acrobat](#)) [27 KB]
 - **Exhibit A** ([MS Word](#)) [140 KB] ([Adobe Acrobat](#)) [86 KB]

- C 04 SANTA FE PACIFIC PARTNERS L.P. (SFPP), AN OPERATING PARTNER FOR KINDER MORGAN ENERGY PARTNERS, L.P. (APPLICANT):** Consider amendment to Master Lease No. PRC 5439.1 to delete parcels of sovereign land located in the Carquinez Strait, Pacheco and Walnut creeks, improved with an existing 14-inch petroleum pipeline and consider an application for a new General Lease – Right of Way Use, of sovereign lands located in Walnut, Grayson and Pacheco creeks in Contra Costa County, the Carquinez Strait and Cordelia Slough in Solano County; for construction of a new 20-inch petroleum pipeline from the existing SFPP Concord Station to the existing SFPP Sacramento Station in the city of West Sacramento and for inclusion of the deleted parcels from Master Lease No. PRC 5439.1 improved with the existing 14-inch pipeline, Contra Costa, Solano and Yolo counties. (W 25815; RA#10701) (A 7,8,11,14; S 2,5,7) (Negotiator: L. Burks)**THIS ITEM WAS MOVED TO THE REGULAR CALENDAR AND DEFERRED WITH NO ACTION BEING TAKEN.**
- Agenda Item ([MS Word](#)) [69 KB] ([Adobe Acrobat](#)) [71 KB]
 - Exhibit A ([MS Word](#)) [327 KB] ([Adobe Acrobat](#)) [354 KB]
- C 05 PC LANDING CORP (ASSIGNOR); PIVOTAL TELECOM, LLC (ASSIGNEE):** Consider application for the assignment and amendment of Lease No. PRC 8152.1, General Lease – Right of Way Use, of sovereign lands located in the Pacific Ocean, for two fiber optic cables and two conduits located offshore of the city of Grover Beach, San Luis Obispo County. (PRC 8152.1; RA# 03703) (A 33; S 15) (Negotiator: B. Dugal)
- Agenda Item ([MS Word](#)) [40 KB] ([Adobe Acrobat](#)) [20 KB]
- C 06 AGATE PIER AND SWIM CLUB, INC. (LESSEE):** Consider application for the amendment of Lease No. PRC 3994.1, General Lease - Commercial Use, of sovereign lands located in Lake Tahoe, Agate Bay, Placer County, to relocate 14 buoys previously authorized by Commission, the retention of seven additional existing buoys and one Coast Guard marker buoy. (WP 3994.1; RA# 02102) (A 4; S 1) (Negotiator: M. Hays)
- Agenda Item ([MS Word](#)) [40 KB] ([Adobe Acrobat](#)) [26 KB]
 - Exhibit A ([MS Word](#)) [201 KB] ([Adobe Acrobat](#)) [183 KB]
- C 07 ALAN H. MATTHEWS (APPLICANT):** Consider application for a Recreational Pier Lease of sovereign lands located in Lake Tahoe, Homewood, Placer County; for the retention of two existing mooring buoys not previously authorized by the Commission. (W 25929; RA# 21002) (A 4; S 1) (Negotiator: M. Hays)
- Agenda Item ([MS Word](#)) [32 KB] ([Adobe Acrobat](#)) [21 KB]
 - Exhibit A ([MS Word](#)) [169 KB] ([Adobe Acrobat](#)) [263 KB]
- C 08 WEST LAKE INVESTORS, A FAMILY TRUST (LESSEE):** Consider application for an amendment to Lease No. PRC 5843.9, Recreational Pier Lease, for sovereign lands, located in Lake Tahoe, Tahoe City, Placer County, for the relocation and modification of a previously authorized pier and the retention and relocation of two previously authorized mooring buoys. (WP 5843.9; RA# 04403) (A 4; S 1) (Negotiator: M. Hays)
- Agenda Item ([MS Word](#)) [38 KB] ([Adobe Acrobat](#)) [24 KB]
 - Exhibit A ([MS Word](#)) [193 KB] ([Adobe Acrobat](#)) [221 KB]

- C 09 DEPARTMENT OF PARKS AND RECREATION (APPLICANT):** Consider application for a new General Lease – Public Agency Use, of sovereign lands located in Mono Lake, near Lee Vining, Mono County; for the operation and management of the Mono Lake State Tufa Reserve previously authorized by the Commission. (WP 6537.9; RA#13201) (A 25; S 1) (Negotiator: D. Jones)
- **Agenda Item** ([MS Word](#)) [43 KB] ([Adobe Acrobat](#)) [29 KB]
 - **Exhibit A** ([MS Word](#)) [221 KB] ([Adobe Acrobat](#)) [129 KB]
- C 10 ROY KELLER (APPLICANT):** Consider application for a new Recreational Pier Lease of sovereign lands located in the Sacramento River, near Hood, Sacramento County; for an existing walkway and boat dock previously authorized by the Commission. (WP 6610.9; RA# 05701) (A 15; S 2) (Negotiator: D. Jones)
- **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [21 KB]
- C 11 TURLOCK IRRIGATION DISTRICT (LESSEE):** Consider application for an amendment to Lease No. PRC 8123.9, General Lease - Public Agency Use, of sovereign lands located in the Tuolumne River, near the city of Waterford, Stanislaus County; to add an additional lease area for a salmon habitat restoration project. (WP 8123.9; RA# 22102) (A 14; S 25) (Negotiator: D. Jones)
- **THIS ITEM HAS BEEN POSTPONED FROM THE AGENDA**
 - **Agenda Item** ([MS Word](#)) [37 KB] ([Adobe Acrobat](#)) [26 KB]
- C 12 CITY OF SAN RAFAEL (APPLICANT):** Consider application for a Dredging Lease to dredge material from granted sovereign lands, with minerals reserved to the state, located in San Rafael Creek, adjacent to the federally authorized and maintained San Rafael Canal Channel at San Rafael, Marin County; disposal of dredged material to be at United States Army Corps of Engineers approved unconfined aquatic site: SF-10, San Pablo Bay, SF-11, Alcatraz or the upland disposal site at Winter Island. (WP 7160; RA# 15401) (A6; S3) (Negotiator: G. Kato)
- **Agenda Item** ([MS Word](#)) [31 KB] ([Adobe Acrobat](#)) [21 KB]
 - **Exhibit A** ([MS Word](#)) [135 KB] ([Adobe Acrobat](#)) [68 KB]
- C 13 PACIFIC GAS AND ELECTRIC COMPANY (LESSEE):** Consider the revision of rent for Lease No. PRC 5391.2, a General Lease – Right of Way Use, of school lands located near the town of Fall River Mills, Shasta County, for an existing 60kV electric power line. (PRC 5391.2) (A 2; S 4) (Negotiator: N. Lee)
- **Agenda Item** ([MS Word](#)) [30 KB] ([Adobe Acrobat](#)) [16 KB]
- C 14 PACIFIC GAS AND ELECTRIC COMPANY (LESSEE):** Consider the continuation of rent for Lease No. PRC 383.2, a General Lease – Right of Way Use, of school lands located near the city of Redding, Shasta and Trinity counties, for an electrical power transmission facility. (PRC 383.2) (A 1,2; S 4) (Negotiator: N. Lee)
- **Agenda Item** ([MS Word](#)) [30 KB] ([Adobe Acrobat](#)) [17 KB]
 - **Exhibit A-1** ([MS Word](#)) [263 KB] ([Adobe Acrobat](#)) [225 KB]
 - **Exhibit A-2** ([MS Word](#)) [235 KB] ([Adobe Acrobat](#)) [180 KB]

- C 15 SOUTHERN CALIFORNIA EDISON (LESSEE):** Consider the revision of rent for Lease No. PRC 4465.2, a General Lease – Right of Way Use, of school lands located near Elsinore Peak, Riverside County, for an existing 12kV overhead transmission line. (PRC 4465.2) (A 64; S 37) (Negotiator: N. Lee)
- **Agenda Item** ([MS Word](#)) [30 KB] ([Adobe Acrobat](#)) [16 KB]
- C 16 ROBERT R. DRON AND TRACY A. DRON, TRUSTEES OF THE ROBERT R. DRON AND TRACY A. DRON REVOCABLE TRUST DATED DECEMBER 24, 1994 (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in the Sacramento River, near Isleton, Sacramento County; for the construction of a new boat dock and walkway. (W 25937; RA# 00703) (A 15; S 5) (Negotiator: T. Lipscomb)
- **Agenda Item** ([MS Word](#)) [36 KB] ([Adobe Acrobat](#)) [21 KB]
 - **Exhibit A** ([MS Word](#)) [204 KB] ([Adobe Acrobat](#)) [121 KB]
- C 17 SEAN EDWARD HUTTON (APPLICANT):** Consider application for a new Recreational Pier Lease of sovereign lands located in the Sacramento River, near the city of Sacramento, Sacramento County; for an existing floating dock and walkway previously authorized by the Commission. (WP 6038.9; RA# 09602) (A 5; S 6) (Negotiator: T. Lipscomb)
- **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [21 KB]
 - **Exhibit A** ([MS Word](#)) [89 KB] ([Adobe Acrobat](#)) [42 KB]
 - **Exhibit B** ([MS Word](#)) [223 KB] ([Adobe Acrobat](#)) [161 KB]
- C 18 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Malibu, APN 4470-017-036, Los Angeles County. (W 24665) (A 41; S 23) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
- **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [22 KB]
 - **Exhibit A** ([MS Word](#)) [277 KB] ([Adobe Acrobat](#)) [151 KB]
 - **Exhibit B** ([MS Word](#)) [21 KB] ([Adobe Acrobat](#)) [12 KB]
- C 19 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Malibu, APN 4470-015-014, Los Angeles County. (W 24665) (A 41; S 23) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
- **THIS ITEM HAS BEEN POSTPONED FROM THE AGENDA**
 - **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [23 KB]
 - **Exhibit A** ([MS Word](#)) [277 KB] ([Adobe Acrobat](#)) [151 KB]
 - **Exhibit B** ([MS Word](#)) [21 KB] ([Adobe Acrobat](#)) [12 KB]

- C 20 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Malibu, APN 4469-026-006, Los Angeles County. (W 24665) (A 41; S 23) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
- **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [22 KB]
 - **Exhibit A** ([MS Word](#)) [277 KB] ([Adobe Acrobat](#)) [151 KB]
 - **Exhibit B** ([MS Word](#)) [21 KB] ([Adobe Acrobat](#)) [12 KB]
- C 21 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Malibu, APN 4469-026-008, Los Angeles County. (W 24665) (A 41; S 23) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
- **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [22 KB]
 - **Exhibit A** ([MS Word](#)) [277 KB] ([Adobe Acrobat](#)) [151 KB]
 - **Exhibit B** ([MS Word](#)) [21 KB] ([Adobe Acrobat](#)) [12 KB]
- C 22 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Malibu, APN 4470-016-026, Los Angeles County. (W 24665) (A 41; S 23) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
- **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [22 KB]
 - **Exhibit A** ([MS Word](#)) [277 KB] ([Adobe Acrobat](#)) [151 KB]
 - **Exhibit B** ([MS Word](#)) [21 KB] ([Adobe Acrobat](#)) [12 KB]
- C 23 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Malibu, APN 4470-016-013, Los Angeles County. (W 24665) (A 41; S 23) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
- **Agenda Item** ([MS Word](#)) [34 KB] ([Adobe Acrobat](#)) [22 KB]
 - **Exhibit A** ([MS Word](#)) [277 KB] ([Adobe Acrobat](#)) [151 KB]
 - **Exhibit B** ([MS Word](#)) [21 KB] ([Adobe Acrobat](#)) [12 KB]
- C 24 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Malibu, APN 4470-016-015, Los Angeles County. (W 24665) (A 41; S 23) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
- **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [22 KB]
 - **Exhibit A** ([MS Word](#)) [277 KB] ([Adobe Acrobat](#)) [151 KB]
 - **Exhibit B** ([MS Word](#)) [21 KB] ([Adobe Acrobat](#)) [12 KB]

- C 25 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Malibu, APN 4470-016-025, Los Angeles County. (W 24665) (A 41; S 23) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
- **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [23 KB]
 - **Exhibit A** ([MS Word](#)) [277 KB] ([Adobe Acrobat](#)) [151 KB]
 - **Exhibit B** ([MS Word](#)) [21 KB] ([Adobe Acrobat](#)) [12 KB]
- C 26 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Malibu, APN 4469-026-007, Los Angeles County. (W 24665) (A 41; S 23) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
- **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [23 KB]
 - **Exhibit A** ([MS Word](#)) [277 KB] ([Adobe Acrobat](#)) [151 KB]
 - **Exhibit B** ([MS Word](#)) [21 KB] ([Adobe Acrobat](#)) [12 KB]
- C 27 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Malibu, APN 4470-016-016, Los Angeles County. (W 24665) (A 41; S 23) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
- **Agenda Item** ([MS Word](#)) [34 KB] ([Adobe Acrobat](#)) [22 KB]
 - **Exhibit A** ([MS Word](#)) [277 KB] ([Adobe Acrobat](#)) [151 KB]
 - **Exhibit B** ([MS Word](#)) [21 KB] ([Adobe Acrobat](#)) [12 KB]
- C 28 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Malibu, APN 4470-013-018, Los Angeles County. (W 24665) (A 41; S 23) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
- **THIS ITEM HAS BEEN POSTPONED FROM THE AGENDA**
 - **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [22 KB]
 - **Exhibit A** ([MS Word](#)) [277 KB] ([Adobe Acrobat](#)) [151 KB]
 - **Exhibit B** ([MS Word](#)) [21 KB] ([Adobe Acrobat](#)) [12 KB]
- C 29 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Malibu, APN 4469-026-011, Los Angeles County. (W 24665) (A 41; S 23) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
- **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [22 KB]
 - **Exhibit A** ([MS Word](#)) [277 KB] ([Adobe Acrobat](#)) [151 KB]
 - **Exhibit B** ([MS Word](#)) [21 KB] ([Adobe Acrobat](#)) [12 KB]

- C 30 CALIFORNIA STATE LANDS COMMISSION AND CALIFORNIA COASTAL COMMISSION (PARTIES):** Consider acceptance of one offer to dedicate lateral public access easement over land adjacent to State tidelands in the city of Malibu, APN 4470-016-001, 002, Los Angeles County. (W 24665) (A 41; S 23) (Negotiators: S. Nelson, J. Lam, V. Massey, C. Fossum)
- **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [23 KB]
 - **Exhibit A** ([MS Word](#)) [277 KB] ([Adobe Acrobat](#)) [151 KB]
 - **Exhibit B** ([MS Word](#)) [21 KB] ([Adobe Acrobat](#)) [12 KB]
- C 31 CITY OF EMERYVILLE (APPLICANT):** Consider application for a Dredging Lease to dredge material from granted lands, minerals reserved, located in the San Francisco Bay at the Emeryville City Marina, city of Emeryville, Alameda County; disposal of dredged material at the U.S. Corps of Engineers designated disposal site at SF-11 (Alcatraz). (PRC 7481.9; RA# 03502) (A 13; S 9) (Negotiator: D. Oetzel)
- **Agenda Item** ([MS Word](#)) [34 KB] ([Adobe Acrobat](#)) [20 KB]
 - **Exhibit A** ([MS Word](#)) [87 KB] ([Adobe Acrobat](#)) [45 KB]
- C 32 CALIFORNIA STATE LANDS COMMISSION AND RICHMOND REDEVELOPMENT AGENCY (PARTIES)** Request for approval to enter into a title settlement and exchange agreement with the City of Richmond and the Richmond Redevelopment Agency concerning the Ford Motor Plant and associated parcels comprising approximately 62 acres in the City of Richmond, Contra Costa County; (W 25674) (A 14; S 7) (Negotiators: D. Plummer, B. Stevenson, J. DeGraff and T. Mueller)
- **Agenda Item** ([MS Word](#)) [52 KB] ([Adobe Acrobat](#)) [43 KB]
 - **Exhibit A** ([MS Word](#)) [491 KB] ([Adobe Acrobat](#)) [91 KB]
- C 33 CALIFORNIA STATE LANDS COMMISSION, CITY OF SAN RAFAEL AND PACIFIC GAS AND ELECTRIC COMPANY (PARTIES)** Request for approval to enter into a title settlement and exchange agreement with the City of San Rafael and Pacific Gas & Electric Company concerning a parcel of land approximately three acres in size in downtown San Rafael; contribution to the land bank fund maintained by the City of San Rafael; City of San Rafael, Marin County; (W 25498) (A 6; S 3) (Negotiators: D. Plummer, B. Stevenson, K. Olin and J. Rusconi)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [33 KB]
 - **Exhibit A** ([Adobe Acrobat](#)) [191 KB]

- C 34 CALIFORNIA STATE LANDS COMMISSION AND THE PORT OF SAN FRANCISCO (PARTIES):** Request for approval of an exchange agreement with the City and County of San Francisco, acting through the San Francisco Port Commission, to remove the public trust and the Burton Act trust from an approximately 0.5 acre portion of Seawall Lot 330, and to impose the public trust on an approximately 8.8 acre parcel of land in the southern area of the port of San Francisco; City and County of San Francisco; (G 11-01) (A 13; S 3) (Negotiators: D. Plummer, G. Kato, B. Stevenson, K. Olin and A. Hager)
- **Agenda Item** ([MS Word](#)) [55 KB] ([Adobe Acrobat](#)) [48KB]
 - **Exhibit A** ([MS Word](#)) [75 KB] ([Adobe Acrobat](#)) [651 KB]
 - **Exhibit A1** ([MS Word](#)) [908 KB] ([Adobe Acrobat](#)) [963 KB]
 - **Exhibit B** ([MS Word](#)) [43 KB] ([Adobe Acrobat](#)) [159 KB]
 - **Exhibit C** ([MS Word](#)) [669 KB] ([Adobe Acrobat](#)) [109 KB]
- C 35 CHARLES S. MCDOWELL AND CORINNE L. MCDOWELL (APPLICANTS):** Consider application for a new General Lease - Recreational Use, of sovereign lands located in Georgiana Slough, near the city of Isleton, Sacramento County; for the construction of a new gangway, a double-berth boat dock, and pilings. (W 25942; RA# 01503) (A 15; S 5) (Negotiator: N. Quesada)
- **Agenda Item** ([MS Word](#)) [20 KB] ([Adobe Acrobat](#)) [37 KB]
 - **Exhibit A** ([MS Word](#)) [173 KB] ([Adobe Acrobat](#)) [85 KB]
- C 36 JEFFREY A. OMAND AND DIANA DEARY OMAND TRUSTEES OF THE DIANE DEARY OMAND AND JEFFREY A. OMAND FAMILY REVOCABLE TRUST, DATED 7/21/92 (APPLICANT):** Consider application for a new Recreational Pier Lease of sovereign lands located in the Sacramento River, city of Sacramento, Sacramento County; for the construction of a new gangway, a single-berth floating dock, and pilings. (W 25935; RA# 22902) (A 9; S 6) (Negotiator: N. Quesada)
- **Agenda Item** ([MS Word](#)) [21 KB] ([Adobe Acrobat](#)) [35 KB]
 - **Exhibit A** ([MS Word](#)) [160 KB] ([Adobe Acrobat](#)) [129 KB]
- C 37 LEONE BECKLEY (APPLICANT):** Consider application for a new Recreational Pier Lease of sovereign lands located in Georgiana Slough, near the city of Isleton, Sacramento County; for an existing boat deck, ramp, and boat dock previously authorized by the Commission. (WP 4726.9; RA# 18102) (A 15; S 5) (Negotiator: N. Quesada)
- **Agenda Item** ([MS Word](#)) [22 KB] ([Adobe Acrobat](#)) [37 KB]
- C 38 VICTORIA A. BUCKLE (APPLICANT):** Consider application for a new Recreational Pier Lease of sovereign lands located in Corte Madera Creek, city of Larkspur, Marin County; for an existing gangway, and floating boat dock previously authorized by the Commission. (WP 7285.9; RA# 05101) (A 6; S 3) (Negotiator: N. Quesada)
- **Agenda Item** ([MS Word](#)) [18 KB] ([Adobe Acrobat](#)) [33 KB]
 - **Exhibit A** ([MS Word](#)) [73 KB] ([Adobe Acrobat](#)) [38 KB]
 - **Exhibit B** ([MS Word](#)) [767 KB] ([Adobe Acrobat](#)) [134 KB]

- C 39 TDB SACRAMENTO DELTA CORP. (APPLICANT):** Consider application for a new General Lease – Recreational Use, of sovereign lands located in Georgiana Slough, near the city of Isleton, Sacramento County; for an existing five-berth covered boat dock previously authorized by the Commission. (WP 7680.1; RA# 15102) (A 15; S 5) (Negotiator: N. Quesada)
- **Agenda Item** ([MS Word](#)) [40 KB] ([Adobe Acrobat](#)) [20 KB]
 - **Exhibit A** ([MS Word](#)) [83 KB] ([Adobe Acrobat](#)) [44 KB]
 - **Exhibit B** ([MS Word](#)) [290 KB] ([Adobe Acrobat](#)) [172 KB]
- C 40 SAN DIEGO UNIFIED PORT DISTRICT (APPLICANT/SUBLESSOR) SAN DIEGO AIRCRAFT CARRIER MUSEUM (SUBLESSEE):** Consider application for a General Lease – Public Agency Use, and approval of sublease, of sovereign lands located in San Diego Bay, San Diego, San Diego County; for the mooring of the USS Midway. (W 25779; RA# 00801) (A 78; S 39) (Negotiator: J. Smith)
- **Agenda Item** ([MS Word](#)) [31 KB] ([Adobe Acrobat](#)) [33 KB]
 - **Exhibit A** ([MS Word](#)) [242 KB] ([Adobe Acrobat](#)) [234 KB]
 - **Exhibit B** ([MS Word](#)) [93 KB] ([Adobe Acrobat](#)) [49 KB]
- C 41 C&H SUGAR COMPANY, INC. (LESSEE):** Consider revision of rent and amendment to Lease No. PRC 7659.1, a General Lease - Industrial Use, of sovereign lands located in Carquinez Strait, in the town of Crockett, Contra Costa County; for sugar refinery, dock and outfall lines. The amendment is to make rent payments monthly rather than annual. (PRC 7659.1) (A 11; S 7) (Negotiator: N. Smith)
- **Agenda Item** ([MS Word](#)) [31 KB] ([Adobe Acrobat](#)) [17 KB]
- C 42 CENTURY MENDOCINO CABLE TELEVISION (LESSEE):** Consider the continuation of rent for Lease No. PRC 5592.1, a General Lease – Right of Way Use, of sovereign lands located in the Albion River, near Albion, Mendocino County; for an existing television cable crossing. (PRC 5592.1) (A 1; S 2) (Negotiator: B. Young)
- **Agenda Item** ([MS Word](#)) [27 KB] ([Adobe Acrobat](#)) [16 KB]
- C 43 THOMAS H. BREDT AND POLLY WALKER BREDT AS CO-TRUSTEES OF THE BREDT 1993 LIVING TRUST (APPLICANTS):** Consider application for a new Recreational Pier Lease, of sovereign lands located in Lake Tahoe, Rubicon Bay, El Dorado County; for an existing pier, boathouse and one mooring buoy previously authorized by the Commission, and the retention of one additional existing mooring buoy. (WP 3868.9; RA# 21602) (A 4; S 1) (Negotiator: B. Young)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [24 KB]

- C 44 JOHN M. KELLY AS TRUSTEE OF THE JOHN M. KELLY REVOCABLE TRUST, DATED MARCH 31, 1997; JOHN M. KELLY AS TRUSTEE OF THE JOHN M. KELLY EXEMPT GENERATION-SKIPPING TRUST UNDER THE PAUL B. KELLY REVOCABLE TRUST, DATED NOVEMBER 2, 1981; JOHN M. KELLY, JR.; ELIZABETH K. D'AMBROSIA, AND MATTHEW F. KELLY (APPLICANTS):** Consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, Tahoe City, Placer County; for an existing pier and boathouse with boat lift previously authorized by the Commission, and retention of two existing mooring buoys. (WP 3346.9; RA# 22302) (A 4; S 1) (Negotiator: B. Young)
- **Agenda Item** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [25 KB]
- C 45 JAMES DOBBAS AS TRUSTEE UNDER DECLARATION OF TRUST DATED DECEMBER 22, 1976 (APPLICANT/LESSEE):** Consider termination of Recreational Pier Lease and consider application for a new Recreational Pier Lease of sovereign lands located in Lake Tahoe, Meeks Bay, El Dorado County; for an existing pier previously authorized by the Commission, and retention of one existing mooring buoy. (WP 4494.9; RA# 21202) (A 4; S 1) (Negotiator: B. Young)
- **Agenda Item** ([MS Word](#)) [36 KB] ([Adobe Acrobat](#)) [26 KB]
 - **Exhibit A** ([MS Word](#)) [88 KB] ([Adobe Acrobat](#)) [45 KB]
- C 46 FRANK C. AND ROBIN A. BLEUSS (APPLICANTS);** Consider application for a new Recreational Pier Lease of sovereign lands located in Donner Lake, near Truckee, Nevada County; for the construction of a new pier. (W 25925; RA# 20102) (A 3; S 1) (Negotiator: B. Young)
- **Agenda Item** ([MS Word](#)) [27 KB] ([Adobe Acrobat](#)) [20 KB]
- C 47 TONOPALO, L. L. C. A DELAWARE LIMITED LIABILITY COMPANY (APPLICANT/LESSEE):** Consider application for an amendment to Lease No. PRC 8439.1, General Lease - Recreational Use, of sovereign lands located in the bed of Lake Tahoe, Tahoe Vista, Placer County; for the modification and relocation of a proposed new pier and 12 mooring buoys previously authorized by the Commission. (WP 8439.1; RA# 03803) (A 4; S 1) (Negotiator: B. Young)
- **Agenda Item** ([MS Word](#)) [33 KB] ([Adobe Acrobat](#)) [21 KB]
 - **Exhibit A** ([MS Word](#)) [106 KB] ([Adobe Acrobat](#)) [55 KB]

- C 48 ALAN K. AUSTIN AND MARIANNE P. AUSTIN, TRUSTEES OF THE AUSTIN FAMILY TRUST DATED AUGUST 6, 1997; KAREN J. VAN VOORHIS, TRUSTEE OF THE KAREN J. VAN VOORHIS REVOCABLE TRUST, UNDER TRUST AGREEMENT DATED DECEMBER 23, 1992 (APPLICANTS) CLAUDIA FLORSHEIM; KAREN J. VAN VOORHIS, TRUSTEE OF THE KAREN J. VAN VOORHIS REVOCABLE TRUST (LESSEES):** Consider termination of a Joint-Use Recreational Pier Lease, and consider application for a new Joint-Use Recreational Pier Lease, of sovereign lands located in Lake Tahoe, Sunnyside, Placer County; for the proposed extension of an existing pier, two boat lifts and four mooring buoys previously authorized by the Commission. (WP 5801.9; RA# 03603) (A 4; S 1) (Negotiator: B. Young)
- **Agenda Item** ([MS Word](#)) [39 KB] ([Adobe Acrobat](#)) [30 KB]
 - **Exhibit A** ([MS Word](#)) [100 KB] ([Adobe Acrobat](#)) [52 KB]

LEGAL

- C 49 CHANNEL ISLANDS NATIONAL MARINE SANCTUARY AND CHANNEL ISLANDS NATIONAL PARK (APPLICANTS):** Consider authorizing the Executive Officer to enter into agreements for the long-term shared management of submerged archeological sites and submerged historic resources in the sanctuary and/or park that allows minor land disturbance, collection of at-risk artifacts, and transfer of such artifacts. (W 24763) (A 37, S 18) (Negotiator: P. Griggs)
- **Agenda Item** ([MS Word](#)) [36 KB] ([Adobe Acrobat](#)) [30 KB]
- C 50 DEPARTMENT OF ANTHROPOLOGY, CSU BAKERSFIELD (APPLICANT):** Consider authorizing the transfer of ownership of Native American archeological artifacts recovered from the Owens Lake Dust Mitigation Program to the Department of Anthropology, CSU Bakersfield. (PRC 8079) (A 32, 34; S 18) (Negotiator: P. Griggs)
- **THIS ITEM HAS BEEN POSTPONED FROM THE AGENDA**
 - **Agenda Item** ([MS Word](#)) [26 KB] ([Adobe Acrobat](#)) [16 KB]
- C 51 MENDOCINO COUNTY MUSEUM (APPLICANT):** Consider authorizing the transfer of ownership of artifacts recovered from the 1850 *Frolic* shipwreck to the Mendocino County Museum. (PRC 7408) (A 1; S 2) (Negotiator: P. Griggs)
- **Agenda Item** ([MS Word](#)) [31 KB] ([Adobe Acrobat](#)) [20 KB]

ADMINISTRATION

- C 52 CALIFORNIA STATE LANDS COMMISSION (PARTY):** Request authority for Executive Officer to solicit proposals for consultant services, negotiate fair and reasonable price, award and execute necessary agreements to prepare the environmental documentation required for the future consideration of the proposed BHP Billiton Cabrillo Port Liquefied Natural Gas import terminal and associated offshore and onshore facilities, Ventura County. Approval of this item by the Commission does not constitute approval of the proposed lease; it only authorizes consultant contracts for environmental review. (W 25941, W 30151) (A 35; S 18) (Negotiator: D. Brown, A. Cueva, C. Oggins)
- **Agenda Item** ([MS Word](#)) [34 KB] ([Adobe Acrobat](#)) [19 KB]

- C 53 CALIFORNIA STATE LANDS COMMISSION (PARTY):** Request authority for Executive Officer to solicit proposals for consultant services, negotiate fair and reasonable price, award and execute necessary agreements to prepare the environmental documentation required for the future consideration of the proposed Crystal Energy Platform Grace Liquefied Natural Gas import terminal and associated offshore and onshore facilities, Ventura County. Approval of this item by the Commission does not constitute approval of the proposed lease; it only authorizes consultant contracts for environmental review. (W 30153) (A 35; S 18) (Negotiator: D. Brown, A. Cueva, C. Oggins)
- **Agenda Item** ([MS Word](#)) [34 KB] ([Adobe Acrobat](#)) [22 KB]
- C 54 CALIFORNIA STATE LANDS COMMISSION (PARTY):** Request authority for Executive Officer to solicit proposals for consultant services, negotiate fair and reasonable price, award and execute necessary agreements for preparation of environmental documentation future consideration of a lease for the existing Amorco and Avon Marine Oil Terminals, by the Tesoro Refining and Marketing Company, Contra Costa County. Approval of this item by the Commission does not constitute approval of the proposed lease; it only authorizes consultant contracts for environmental review. (PRC 3453; W 30068.17, and PRC 3454; W 30068.19, respectively) (A 10, 11; S 4, 7) (Negotiator: D. Brown, A. Cueva, V. Van Way)
- **Agenda Item** ([MS Word](#)) [29 KB] ([Adobe Acrobat](#)) [18 KB]
- 55 CALIFORNIA STATE LANDS COMMISSION (PARTY):** Request authority for Executive Officer to solicit proposals for consultant services, negotiate fair and reasonable price, award and execute necessary agreements for preparation of environmental documentation for the proposed 30-year lease of the existing Shell marine oil terminal by Shell Oil Products US, City of Martinez, Contra Costa County. Approval of this item by the Commission does not constitute approval of the proposed lease; it only authorizes consultant contracts for environmental review. (WP 4908; Lease PRC 4980.1; W 9777.16; W 30068.16) (A 11; S 7) (Negotiator: D. Brown, A.Cueva, V. Van Way)
- **Agenda Item** ([MS Word](#)) [30 KB] ([Adobe Acrobat](#)) [19 KB]

MARINE FACILITIES DIVISION

- C 56 CALIFORNIA STATE LANDS COMMISSION (APPLICANT):** Consider settlement proposal with regard to compliance questions arising from ballast water practices by Carnival Corporation. (W 9777.234) (A & S Statewide) (Negotiators: G. Gregory, M. Falkner, M. Meier)
- **Agenda Item** ([MS Word](#)) [37 KB] ([Adobe Acrobat](#)) [23 KB]
 - **Exhibit A** ([MS Word](#)) [28 KB] ([Adobe Acrobat](#)) [23 KB]

MINERAL RESOURCES MANAGEMENT

- C 57 OXY RESOURCES CALIFORNIA, LLC AND RISING STAR ENERGY, LLC (APPLICANTS):** Consider acceptance of the Full Quitclaim Deed of Negotiated Subsurface (no surface use) Oil and Gas Lease and Right of Way Agreement No. PRC 8348.1, Fourteen Mile Slough, San Joaquin County. (PRC 8348.1) (A 17; S 5) (Negotiator: A. Nitsche)
- **Agenda Item** ([MS Word](#)) [57 KB] ([Adobe Acrobat](#)) [21 KB]
 - **Exhibit A** ([MS Word](#)) [77 KB] ([Adobe Acrobat](#)) [37 KB]
 - **Exhibit B** ([MS Word](#)) [172 KB] ([Adobe Acrobat](#)) [84 KB]
- C 58 VENOCO, INC. (APPLICANT):** Consider acceptance of the Full Quitclaim Deed of Oil and Gas Lease No. PRC 208.1, and grant an extension of eighteen months for the remaining two wells included in the Holly Re-Drill Project, South Ellwood Field, Offshore Santa Barbara County. (PRC 208.1, PRC 3120.1, PRC 3242.1) (A 35; S 18) (Negotiators: J. Planck, M. Le Clair)
- **Agenda Item** ([MS Word](#)) [49 KB] ([Adobe Acrobat](#)) [29 KB]
 - **Exhibit A** ([MS Word](#)) [77 KB] ([Adobe Acrobat](#)) [37 KB]
 - **Exhibit B** ([MS Word](#)) [172 KB] ([Adobe Acrobat](#)) [84 KB]
 - **Exhibit C** ([MS Word](#)) [77 KB] ([Adobe Acrobat](#)) [37 KB]
 - **Exhibit D** ([MS Word](#)) [41 KB] ([Adobe Acrobat](#)) [37 KB]
 - **Exhibit E** ([MS Word](#)) [109 KB] ([Adobe Acrobat](#)) [54 KB]
 - **Exhibit F** ([MS Word](#)) [444 KB] ([Adobe Acrobat](#)) [237 KB]
- C 59 CALIFORNIA STATE LANDS COMMISSION (APPLICANT):** Consider approval of the proposed sale of the Royalty Crude Oil, Oil and Gas Lease Nos. PRC 91, PRC 163, E-392, PRC 425, and PRC 426, Huntington Beach Oil Field, Orange County, to the highest responsible bidder. (W 9603.114) (A 57, 58; S 29) (Negotiators: M. Le Clair, D. Mercier)
- **Agenda Item** ([MS Word](#)) [43 KB] ([Adobe Acrobat](#)) [20 KB]
 - **Exhibit A** ([MS Word](#)) [35 KB] ([Adobe Acrobat](#)) [23 KB]
 - **Exhibit B** ([MS Word](#)) [211 KB] ([Adobe Acrobat](#)) [109 KB]
- C 60 CALIFORNIA STATE LANDS COMMISSION (INFORMATIONAL):** Staff Report on the monitoring of possible subsidence, Long Beach Unit, Wilmington Oil Field, Los Angeles County. (W 10436) (A 54, 55; S 27, 28) (Negotiator: V. Duda)
- **Agenda Item** ([MS Word](#)) [37 KB] ([Adobe Acrobat](#)) [16 KB]
 - **Exhibit A** ([MS Word](#)) [53 KB] ([Adobe Acrobat](#)) [67 KB]

REGULAR CALENDAR 61-64 THE FOLLOWING ITEMS ARE SUBJECT TO CHANGE
AT ANY TIME UP TO THE DATE OF THE MEETING

- 61 **SAN DIEGO UNIFIED PORT DISTRICT (TRUSTEE):** Consideration of a report reviewing the San Diego Unified Port District financial status; San Diego County. (G10-08) (A 77, 78, 79; S 39, 40) (Negotiator: J. Lucchesi and D. Mercier)
- **THIS ITEM HAS BEEN POSTPONED FROM THE AGENDA**
 - Agenda Item ([MS Word](#)) [56 KB] ([Adobe Acrobat](#)) [67 KB]
 - Exhibit A ([MS Word](#)) [79 KB] ([Adobe Acrobat](#)) [38 KB]
 - Exhibit B ([MS Word](#)) [69 KB] ([Adobe Acrobat](#)) [36 KB]
- 62 **SAN DIEGO UNIFIED PORT DISTRICT (TRUSTEE):** Consideration of a report on the status of the Cooperation Agreement and Lease Agreement between the San Diego Unified Port District and Duke Energy regarding the South Bay Power Plant, city of Chula Vista, San Diego County. (G10-08.10) (A 77; S 40) (Negotiator: C. Fossum, J. Lucchesi) THIS ITEM WAS **AMENDED** AND **APPROVED** BY A VOTE OF 2-0.
- Agenda Item ([MS Word](#)) [64 KB] ([Adobe Acrobat](#)) [63 KB]
 - Exhibit A ([MS Word](#)) [92 KB] ([Adobe Acrobat](#)) [50 KB]
- 63 **RUBICON TAHOE OWNERS, INC. (APPLICANT):** Consider an application for a new General Lease - Recreational Use, of sovereign lands located in Lake Tahoe, Rubicon Bay, El Dorado County; for two existing piers, two swim areas, two swim floats, U.S. Coast Guard marker buoys, and 97 mooring buoys previously authorized by the Commission. (PRC 5676.1; RA# 12401) (A 4; S 1) (Negotiator: B. Dugal; J. Frey) THIS ITEM WAS **MOVED** TO THE CONSENT CALENDAR AND **APPROVED**.
- Agenda Item ([MS Word](#)) [45 KB] ([Adobe Acrobat](#)) [32 KB]
 - Exhibit A ([MS Word](#)) [172 KB] ([Adobe Acrobat](#)) [100 KB]
- 64 **BEL AIR BAY CLUB (APPLICANT):** Consider approval of a title settlement and boundary line agreement, including issuance of three leases involving certain real property in and adjacent to the Pacific Ocean, Los Angeles County pursuant to Public Resources Code Sections 6342, 6321, 6303 and 6501.1. (BLA 1) (A 41; S 23) (Negotiator: C. Fossum) THIS ITEM WAS **APPROVED** BY A VOTE OF 2-0.
- Agenda Item ([MS Word](#)) [69 KB] ([Adobe Acrobat](#)) [64 KB]
 - Exhibit A ([MS Word](#)) [896KB] ([Adobe Acrobat](#)) [228 KB]
 - Exhibit B ([MS Word](#)) [1000 KB] ([Adobe Acrobat](#)) [251KB]
 - Exhibit C ([MS Word](#)) [142 KB] ([Adobe Acrobat](#)) [97 KB]

VI. PUBLIC COMMENT

VII. CLOSED SESSION AT ANYTIME DURING THE MEETING THE COMMISSION MAY MEET TO CONSIDER POSSIBLE AND PENDING LITIGATION IN A SESSION CLOSED TO THE PUBLIC PURSUANT TO THE ATTORNEY-CLIENT PRIVILEGES (SEE GOVERNMENT CODE SECTION 11126). THE FOLLOWING MATTERS WILL BE CONSIDERED UNDER GOVERNMENT CODE SECTION 11126 (e)(2)(A):

Hanson Marine Operations, Inc. v. California State Lands Commission

IN ADDITION, THE COMMISSION MAY CONSIDER MATTERS WHICH FALL UNDER GOVERNMENT CODE SECTION 11126 (e)(2)(B) or (2)(C)